GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:599
ANSWERED ON:26.02.2016
Online Sale of Medicines
Dhurve Smt. Jyoti;Fatepara Shri Devajibhai Govindbhai;Mahtab Shri Bhartruhari;Ram Mohan Naidu Shri Kinjarapu;Ranjan (Pappu Yadav) Shri Rajesh;Vichare Shri Rajan Baburao

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the selling of online medicine by companies is permissible under the Drugs and Cosmetics Act, 1940;

(b) if so, the details thereof and the number of companies/organizations engaged in selling online medicines across the country, as on date, company-wise and if not, the action taken by the Government against such companies;

(c) whether the Government has received complaints against various online trading companies who are selling spurious medicines, if so, the details thereof and the action taken by the Government in this regard;

(d) whether the Government is planning to amend Drug and Cosmetic Act to enable easy facilitation of business in the drug e-commerce sector and if so, the details thereof; and

(e) the manner in which the Government protect the consumer from counterfeit/ substandard drugs being sold online and to regulate the e-pharmacy websites giving drugs after checking the veracity of the prescription?

Answer

ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(SHRI JAGAT PRAKASH NADDA)
(a): In accordance with the provisions of the Drugs & Cosmetics Act, 1940 and Rules made thereunder, the sale of drugs in the country is regulated by State Licensing Authorities. Accordingly, drugs specified in Schedule H, H1 or Schedule X can not be sold except on and in accordance with the prescription of a Registered Medical Practitioner. The supply of prescription drugs can be effected only by or under the personal supervision of a registered pharmacist from a licensed premises.
(b): Food and Drug Administration, Maharashtra has taken regulatory action against Snapdeal, Amazon and Flipkart which were found to be selling/distributing medicines to consumers through internet without valid sales bill and requisite licenses.
(c): A number of representations have been received from Chemists and Druggist associations against online sale of prescription drugs. Similarly, a number of representations have also been received to permit such sales.
(d) & (e): No such proposal is presently under consideration of the Government and online sale of drugs can be permitted only after appropriate mechanism is established to address the risks and concerns related to such sales.